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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 JIAN MING ZHONG and CHEN ZHONG,) No. C 08-2871 WHA
13 Plaintiffs,)
14 v.) JOINT MOTION TO VACATE OR
15 UNITED STATES DEPARTMENT OF) CONTINUE CASE MANAGEMENT
STATE, et al.,) CONFERENCE; AND ORDER
16 Defendants.) CONTINUING CASE MANAGEMENT
17) CONFERENCE

18 On June 9, 2008, the Court issued a scheduling order, setting a Case Management
19 Conference on September 18, 2008. On August 14, 2008, Defendants filed a motion to dismiss this
20 action, and alternatively moved for summary judgment. The hearing on the motion is noticed for
21 October 9, 2008. In due course, Plaintiffs will oppose the motion and cross-move for summary
22 judgment. Accordingly, the issues in this case will be resolved through the motion hearing, and it
23 appears that the Case Management Conference will not be necessary.

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JOINT MOTION
No. C 08-2871 WHA

In order to promote efficiency, the parties hereby move the Court to vacate the Case Management Conference. Alternatively, the parties respectfully suggest continuing the Case Management Conference to October 9, 2008, to be heard following the motion hearing.

Dated: August 14, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
MELANIE PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: August 14, 2008

/s/

PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED. The Case Management Conference is hereby VACATED.

Dated:

WILLIAM ALSUP
United States District Judge

ALTERNATIVE PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED. The Case Management Conference is hereby continued to ~~October 9, 2008~~, to be held following the motion hearing. The parties shall file a Joint Case Management Statement no later than ~~October 2, 2008~~.

Dated: August 14, 2008.

IT IS SO ORDERED

Judge William Alsup

¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.